FORM PTO-1083

81784.0250

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Akira TSUKIHASHI, et al

Serial No: 10/080,994
Filed: February 20, 2002
For: OPTICAL DISK RECORDING/REPRODUCING
       METHOD AND APPARATUS IN WHICH RECORDING
       PROPERTIES OF THE DISK ARE DETECTED WHEN
       RECORDING SPEED IS CHANGED (Amended)

Art Unit: 2652
Examiner: M. V. Battaglia

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to:

Mail Stop RCE
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450, on
June 29, 2005
Date of Deposit
John P. Scherlacher, Reg. No. 23,009
Name
[signature]   06/29/05
Signature   Date

Mail Stop RCE
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

Transmitted herewith is an amendment in the above-identified application.

☐   Small entity status has been claimed. See 37 CFR § 1.27.

☐   A Notice Of Change Of Attorney's Address and Associate Power Of Attorney is enclosed.

☒   No additional fee is required.

The fee has been calculated as shown below:

	(Col. 1) CLAIMS REMAINING AFTER AMENDMENT		(Col. 2) HIGHEST NUMBER PREVIOUSLY PAID FOR		(Col. 3) PRESENT EXTRA*	LG/SM $ ENTITY FEE		ADD'L FEE DUE
TOTAL CLAIMS FEE	10	-20	22	**	0	LG=$50 SM=$25	$50	$ 0
INDEPENDENT CLAIMS FEE	2	-3	4	***	0	LG=$200 SM=$100	$200	$ 0
FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIMS						LARGE ENTITY FEE = $360 SMALL ENTITY FEE = $180		$ 0
ADDITIONAL SIZE FEE (IF ANY) (TOTAL PAGES OF SPEC AND DRAWINGS TOGETHER)					$250 FOR EACH ADDITIONAL 50 SHEETS			$ 0
							TOTAL	$ 0

*   If the entry in Col. 1 is less than the entry in Col. 2, write "0" in Col. 3.
**   If the "Highest Number Previously Paid For" IN THIS SPACE is less than 20, write "20" in this space.
***   If the "Highest Number Previously Paid For" IN THIS SPACE is less than 3, write "3" in this space. The "Highest Number Previously Paid For" (Total or Independent) is the highest number found from the equivalent box on Col. 1 of a prior amendment or the number of claims originally filed.

☐   A check in the amount of $ -0- to cover the additional claims fee is enclosed. **A copy of this sheet is enclosed.**

☐   A check in the amount of $ -0- to cover the extension fee is enclosed. **A copy of this sheet is enclosed.**

☒   The Commissioner is hereby authorized to charge any deficiencies of fees associated with this communication or credit any overpayment to Deposit Account No. 50-1314. **A copy of this sheet is enclosed.**
    ☒   Any filing fees under 37 C.F.R. § 1.16 for the presentation of extra claims
    ☒   Any patent application processing fees under 37 C.F.R. § 1.17
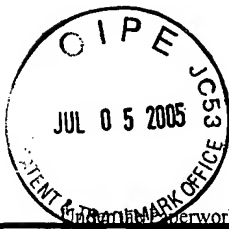
Respectfully submitted,
HOGAN & HARTSON L.L.P.

Date: June 29, 2005

Biltmore Tower
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By: [signature]
John P. Scherlacher
Registration No. 23,009
Attorney for Applicant(s)

RCE &MW

REQUEST FOR CONTINUED EXAMINATION (RCE) TRANSMITTAL Address to: Mail Stop RCE Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450	

Application Number	10/080,994
Filing Date	February 20, 2002
First Named Inventor	Akira Tsukihashi
Art Unit	2652
Examiner Name	Michael V. Battaglia
Attorney Docket Number	81784.0250

This is a Request for Continued Examination (RCE) under 37 CFR 1.114 of the above-identified application.

Request for Continued Examination (RCE) practice under 37 CFR 1.114 does not apply to any utility or plant application filed prior to June 8, 1995, or to any design application. See Instruction Sheet for RCEs (not to be submitted to the USPTO) on page 2.

1. **Submission required under 37 CFR 1.114**

   a. ☒ Previously submitted

      i. ☒ Consider the amendment(s)/reply under 37 CFR 1.116 previously filed on May 19, 2005.
      (Any un entered amendment(s) referred to above will be entered).

      ii. ☐ Consider the arguments in the Appeal Brief or Reply Brief previously filed on _____

      iii. ☐ Other _____

   b. ☒ Enclosed

      i. ☒ Amendment/Reply   iii. ☐ Information Disclosure Statement (IDS)

      ii. ☐ Affidavit(s)/Declaration(s)   iv. ☐ Other _____

2. **Miscellaneous**

   a. ☐ Suspension of action on the above-identified application is requested under 37 CFR 1.103(c) for a period of _____ months. (Period of suspension shall not exceed 3 months; Fee under 37 CFR 1.17(i) required)

   b. ☐ Other _____

3. **Fees**   The RCE fee under 37 CFR 1.17(e) is required by 37 CFR 1.114 when the RCE is filed.

   a. ☒ The Director is hereby authorized to charge the following fees, or credit any overpayments, to Deposit Account No. 50-1414.

      i. ☒ RCE fee required under 37 CFR 1.17(e)

      ii. ☐ Extension of time fee (37 CFR 1.136 and 1.17)

      iii. ☐ Other _____

   b. ☒ Check in the amount of $790.00 is enclosed.

   c. ☐ Payment by credit card (Form PTO-2038 enclosed)

      WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED			
Name *(Print Type)*	John P. Scherlacher	Registration No. (Attorney)	23,009
Signature	*John P. Scherlacher*	Date	June 29, 2005

CERTIFICATE OF MAILING OR TRANSMISSION

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Mail Stop RCE, Commissioner For Patents, P.O. Box 1450, Alexandria, VA 22313-1450, or facsimile transmitted to the U.S. Patent and Trademark Office on the date shown below.

Name *(Print Type)*	John P. Scherlacher		
Signature	*John P. Scherlacher*	Date	June 29, 2005

07/06/2005 NROCHA1 00000001 10080994
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